



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-13-00298-CV

JERALD MILLER

APPELLANT

V.

SHEREE LUCAS

APPELLEE

FROM COUNTY COURT AT LAW NO. 3 OF TARRANT COUNTY

ORDER OF REFERRAL TO MEDIATION AND ABATEMENT

The court has determined that this dispute is appropriate for referral to mediation. See Tex. Civ. Prac. & Rem. Code Ann. § 154.021 (West 2011). This appeal is referred to Joseph Spence, 420 Commerce St., Ste. 500, Fort Worth, Texas 76102, (817) 882-7635, jspence@shannongracey.com, who shall complete a mediation conference with all parties and their attorneys by **Thursday, May 08, 2014**. All named parties and an executive officer of any corporate party with full settlement authority shall attend the entire mediation session with their counsel of record.

Before the first scheduled mediation session, each party shall provide the mediator and all parties with all information necessary for the mediator to understand the issues presented. The mediator may require any party to supplement the information provided.

The mediator will encourage and assist, but will not compel or coerce, the parties in reaching a settlement of their dispute. Any expenses of mediation will be borne equally by the parties, unless the parties and the mediator consent to a different agreement, and not by the mediator or this court. Within 10 days of the conclusion of the mediation, the mediator will advise the court only that the parties did or did not settle their dispute. All matters revealed during mediation, including the conduct and demeanor of the parties, shall remain confidential. *See id.* §§ 154.053, .073.

If the mediation fully resolves the issues in the case, the parties shall file an appropriate motion in accordance with Tex. R. App. P. 42.1 within 10 days of the conclusion of the mediation. If the parties need more time to effectuate the terms of the settlement agreement, they must file a joint motion for extension of time to file such a motion. The motion for extension is due within 10 days of the conclusion of the mediation.

It is ordered that this appeal shall be abated pending the mediation. If, after mediation, the mediator advises the court that the parties did not settle their dispute, the appeal shall be ordered reinstated. All time periods relating to the disposition of the appeal shall be tolled during the period of abatement.

Any objection to this order must be filed with the clerk of this court and served on all parties and the mediator within 10 days of the date of this order.

The clerk of this court is directed to transmit a copy of this order to the attorneys of record, the trial court judge, the trial court clerk, and the mediator.

DATED April 8, 2014.

PER CURIAM